

REMARKS

Common Ownership

The present application and U.S. Patent No. 6,463,445 were both owned by, or subject to assignment to, Sony Electronics Inc and Sony Corporation at the time the invention of the present application was made.

Rejections

Rejections under 35 U.S.C. § 103

Claims 1-5, 7-14 and 16-28

Claims 1-5, 7-14 and 16-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bergman, et al., U.S. Patent 6,564,263 in view of Suzuki, et al., U.S. Patent 6,463,445.

Suzuki only qualifies as prior art under 35 U.S.C. § 102(e) because it issued after Applicant's effective filing date. Applicant respectfully submits that Suzuki is disqualified as prior art under 35 USC 103(c) because of the common ownership of the patent and the present application.

Because Berman alone not teach or suggest Applicant's invention as claimed in claim 1-5, 7-14 and 16-28, Applicant respectfully requests the withdrawal of the rejection of claims 1-5, 7-14 and 16-28 under 35 USC 103(a).

SUMMARY

Claims 1-5, 7-14 and 16-28 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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